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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,844	11/28/2001	Byron J. Slater	2001P17789US01 (1505-0106)	3190
7590 Harold C. Moore Maginot, Addison & Moore Bank One Center/Tower 111 Monument Circle, Suite 3000 Indianapolis, IN 46204-5115			EXAMINER BHAT, ADITYA S	
			ART UNIT 2863	PAPER NUMBER
			MAIL DATE 04/01/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/995,844	<b>Applicant(s)</b> SLATER ET AL.	
	<b>Examiner</b> ADITYA S. BHAT	<b>Art Unit</b> 2863	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                        |                                                                   |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/28/01</u> .                                                | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Status***

1. Claims 1-20 are currently pending in this application.

### ***Priority***

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

4. The information disclosure statement (IDS) submitted on 11/28/2001 was received. The submission is in compliance with the provisions of 37 CFR 1.97 and 37 CFR 1.98. Accordingly, the information disclosure statement has been considered by the examiner.

### ***Drawings***

5. The drawings submitted on 11/28/2001 are in compliance with 37 CFR § 1.81 and 37 CFR § 1.83 and have been accepted by the examiner.

### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Yee et al. (USPN 6,847,300).

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With regards to claim 1, Yee et al. (USPN 6,847,300) teaches a arrangement for adjusting a time keeping function of a utility meter, comprising:

at least one sensor configured to detect a temperature(114) at a location proximate a time keeping component,(118) the time keeping component generating timing signals at a rate that varies as a function of temperature, the at least one sensor further configured to generate an output signal representative of the detected temperature;(figure 1)

a processing circuit(112) configured to adjust at least one clock maintained by the time keeping function of the meter in dependence upon the output signal from the at least one sensor. (figure1)

With regards to claims 2, 13 and 20, Yee et al. (USPN 6,847,300) teaches a crystal oscillator. (Col. 3, lines 47-48)

With regards to claims 3 8-9 and 17 Yee et al. (USPN 6,847,300) teaches a digital signal processor (29) and a microcontroller (112)

With regards to claim 4 and 13, Yee et al. (USPN 6,847,300) teaches at least one sensor comprises a diode. (134)

With regards to claim 5, Yee et al. (USPN 6,847,300) teaches the diode is coupled to the processing circuit through an analog to digital converter. (112)

With regards to claim 6 and 14, Yee et al. (USPN 6,847,300) teaches a real time clock output pulse after receiving N timing signals; and change N based on the output signal from the at least one sensor. (col. 6, lines 43-45)

With regards to claim 7, Yee et al. (USPN 6,847,300) teaches electricity meter comprising:

a source of commodity consumption information; at least one sensor configured to detect a temperature at a location proximate a time keeping component, the time keeping component generating timing signals at a rate that varies as a function of temperature, the at least one sensor further configured to generate an output signal representative of the detected temperature; a processing circuit coupled to receive commodity consumption information from the source of commodity consumption information, the processing circuit operable to generate metering data based on the commodity consumption information and real time clock information, and adjust the real time clock information in dependence upon the output signal from the at least one sensor. ( see figure 1)

With regards to claim 10, Yee et al. (USPN 6,847,300) teaches the processing circuit includes at least two processors. (112,132; figure 1)

With regards to claim 11, Yee et al. (USPN 6,847,300) teaches the source of commodity consumption information comprises a source of electrical energy consumption information (col. 2, lines 13-17).

With regards to claims 15 and 18, Yee et al. (USPN 6,847,300) teaches the source of commodity consumption information includes a current sensing device, the current sensing device having a temperature dependent characteristic that affects the accuracy of the commodity consumption information; the utility meter further comprises at least one additional sensor disposed proximate to the current sensing device, the at least one additional sensor configured to detect a temperature at a location proximate the current sensing device, the additional sensor further configured to generate a second output signal representative of the detected temperature; and the processing circuit is further configured to adjust the energy consumption information in dependence upon the output signal from the at least one additional temperature sensor. (figure 1)

With regards to claim 16, Yee et al. (USPN 6,847,300) teaches the source of commodity consumption signals further comprises:

a plurality of voltage sensors operably coupled to a plurality of power lines, the plurality of voltage sensors operable to generate analog voltage measurement signals representative of voltage waveforms on the plurality of power lines; a plurality of current sensors operably coupled to a plurality of power lines, the plurality of current sensors operable to generate analog current measurement signals representative of current waveforms on the plurality of power lines; at least one analog to digital converter operable to receive the analog voltage measurement signals and the analog current measurement signals and generate digital measurement signals there from; a digital signal processor operably connected to receive the digital measurement signals from the at least one analog to digital converter, the digital signal processor operable to generate the energy consumption information from the digital measurement signals. (figure 1)

With regards to claim 19, Yee et al. (USPN 6,847,300) teaches a method for adjusting a time keeping function of a utility meter, comprising:

generating timing signals using a time keeping component that generates timing signals at a rate that varies as a function of temperature; (118)

detecting a temperature at a location proximate to the time keeping component;(114)

generating an output signal representative of the detected temperature; (114)  
and

adjusting at least one clock maintained by the time keeping function of the meter in dependence upon the output signal. (423;figure 4)

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ouellett et al. (USPN 5,889,442) teaches a crystal oscillator

starting operation in an electricity meter and Wingate (USPN 4480312) teaches a temperature sensor controller system

**9.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to ADITYA S. BHAT whose telephone number is (571)272-2270. The examiner can normally be reached on M-F 9-5:30.

**10.** If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 571-272-2269. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aditya Bhat/  
Examiner, Art Unit 2863  
March 31, 2008